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OCT 22 2004

PATENT APPLICATION

ATTORNEY DOCKET NO. 10007833-8

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Daniel A. Kearl

Confirmation No.: 2895

Application No.: 10/698,136

Examiner: Tracy Mae Dove

Filing Date: Oct 31, 2003

Group Art Unit: 1745

Title: HYBRID THIN FILM/THICK FILM SOLID OXIDE FUEL CELL AND METHOD OF
MANUFACTURING THE SAME

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	39	MINUS	39	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this paper is being transmitted
to the Patent and Trademark Office facsimile
number (703) 872-9306 on Oct 22 2004
Number of pages: 3

Typed Name: Julia Church Dierker

Signature: 

Respectfully submitted,

Daniel A. Kearl

By: 

Julia Church Dierker

Attorney/Agent for Applicant(s)
Reg. No. 33368

Date: (248) 649-9900

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Our Reference: 10007833-8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Daniel A. Kearl
Serial Number: 10/698,136
Filing Date: October 31, 2003
Examiner/Art Group Unit: Tracy Mae Dove/1745
Title: HYBRID THIN FILM/THICK FILM SOLID OXIDE
FUEL CELL AND METHOD OF
MANUFACTURING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated September 24, 2004, Applicant elects the invention of Group I, claims 42-76, drawn to a method of making a fuel cell, including creating a well and a counter well, classified in class 429, subclass 30.

The Examiner requests that Applicant elect a single species in each of two categories:

- 1). An etchant: wet anisotropic etchants as recited in claim 55; and
- 2). A substrate material: silicon oxide containing dielectric substrate as recited in claim 57.

In summary, Claims 42-80 remain in the application. Claims 77-80 are provisionally withdrawn. It is submitted that, through this Amendment, Applicant's invention as set forth in these claims is in a condition suitable for allowance.

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Further and favorable consideration is requested. If the Examiner believes it would expedite prosecution of the above-identified application, she is cordially invited to contact Applicant's Attorney at the below-listed telephone number.

Respectfully submitted,

DIERKER & ASSOCIATES, P.C.



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Dated: October 22, 2004
JCD/jc